

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:05CR0432
)	
Plaintiff,)	
)	
vs.)	Judge John M. Manos
)	
SHOMARI CURTIS,)	
)	
Defendant.)	<u>ORDER</u>

On August 31, 2005, the Grand Jury returned an Indictment charging Shomari Curtis, Defendant, with one (1) count of violating 21 U.S.C. § 841 (a)(1) (possession with intent to distribute cocaine). (Docket No. 8.)

On October 31, 2005, Defendant filed a motion to suppress. (Docket No. 20.) On December 27, 2005, the Government filed a response. (Docket No. 27.)

This matter was referred to a Magistrate Judge. On February 21, 2006, the Magistrate Judge issued a report in which he recommends that the motion to suppress be granted. (Docket No. 36.) Pursuant to 28 U.S.C. § 636(b)(1)(C) and Local Criminal Rule 5.3(b), he informed the parties that they had ten (10) days to file objections. (Docket No. 36, at 30.)

Subsequent review is waived if a party does not timely file objections to a Magistrate Judge's report, unless good cause is shown. See Thomas v. Arn, 474 U.S. 140 (1985); United States v. Walters, 638 F.2d 947 (6th Cir. 1981); see also 28 U.S.C. § 636(b)(1)(C). On March 16, 2006, the government notified the Court that it would not be filing any objections.

Accordingly, the Court hereby **ADOPTS** the findings and conclusions of the Magistrate Judge. The motion to suppress is **GRANTED**.

IT IS SO ORDERED

Date: March 24, 2006

/s/ John M. Manos
UNITED STATES DISTRICT JUDGE